

Notice of Allowability

Application No.

10/522,612

Examiner

Hemant M. Desai

Applicant(s)

KAKITA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 8/8/2007.
2. ☒ The allowed claim(s) is/are 1-6,9-15,18 and 19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Nomugi Tomoyori on 8/30/2007.

The application has been amended as follows:

In the Specification:

Insert after title, page 1 -- This application is the National Phase of International Application PCT/JP03/09558 filed on July 28, 2003. --.

Replace "(FIELD OF INVENTION)", page 1, line 5 with -- FIELD OF INVENTION --.

Replace "(RELATED ART)", page 1, line 9 with -- RELATED ART --.

Replace "(DISCLOSURE OF THE INVENTION)", page 1, line 30 with --
DISCLOSURE OF THE INVENTION --.

Replace "(BRIEF EXPLANATION OF THE DRAWINGS)", page 9, line 7 with --
BRIEF EXPLANATION OF THE DRAWINGS --.

Replace "(PREFERRED EMBODIMENTS)", page 9, line 30 with -- PREFERRED
EMBODIMENTS --.

Replace "[FIRST EMBODIMENT]", page 9, line 31 with -- FIRST EMBODIMENT
--.

Delete "<OVERALL CONSTITUTION>", page 9, line 33.

Delete "[CONSTITUTION OF THE FILM FEEDER 4]", page 10, line 15.

Delete "[CONSTITUTION OF THE BAG MANUFACTURING AND PACKAGING UNIT 3]", page 10, line 20.

Delete "[FORMER 30]", page 10, line 29.

Delete "[PULL DOWN BELT MECHANISM 31]", page 11, line 18.

Delete "[LONGITUDINAL SEALING MECHANISM 32]", page 11, line 25.

Delete "[TRANASVERSAL SEALING MECHANISM 33]", page 11, line 32.

Delete "[IRONING PARTS 34]", page 12, line 15.

Delete "[DISCHARGE CHUTE 35]", page 12, line 26.

Delete "[CONSTITUTION OF THE GAS SUPPLY UNIT 5]", page 12, line 34.

Delete "[CONSTITUTION OF THE COOLING UNIT 6]", page 13, line 14.

Delete "[CONSTITUTION OF THE CONTROL UNIT 7]", page 13, line 24.

Replace "<OPERATION>", page 14, line 1 with -- OPERATION --.

Delete "[OVERVIEW OF THE OPERATION OF THE VERTICAL BAG MANUFACTURING AND PACKAGING APPARATUS 1]", page 14, lines 2-3.

Replace "<CHARACTERISTICS>", page 15, line 29 with -- CHARACTERISTICS

--.

Delete "[1]", page 15, line 30.

Delete "[2]", page 16, line 10.

Delete "[3]", page 15, line 27.

Delete "[4]", page 17, line 1.

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Replace “[SECOND EMBODIMENT]”, page 17, line 10 with -- SECOND EMBODIMENT --.

Delete “<CONSTITUTION OF THE PACKAGING SYSTEM>”, page 17, line 11.

Delete “<OPERATION OF THE PACKAGING SYSTEM>”, page 18, line 26.

Delete “<CHARACTERISTICS OF THE PACKAGING SYSTEM>”, page 19, line 21.

Delete “[1]”, page 19, line 22.

Delete “[2]”, page 19, line 34.

Replace “[OTHER EMBODIMENTS]”, page 20, line 10 with -- OTHER EMBODIMENTS --.

Delete “[A]”, page 20, line 11.

Delete “[B]”, page 20, line 17.

Delete “[C]”, page 20, line 25.

Delete “[D]”, page 20, line 34.

Delete “[E]”, page 21, line 4.

Delete “[F]”, page 21, line 17.

Delete “[C]”, page 21, line 20.

Delete “(INDUSTRIAL FIELD OF APPLICATION)”, page 21 line 28.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: The Japanese reference fails to disclose the claimed packaging apparatus, method and system, including regarding claims 1 and 19, a control/an adjustment unit to control the

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temperature and amount of gas so that a prescribed thickness of the sealed package is achieved and a feedback control of the temperature of the gas in a subsequently manufactured package is performed based on the post-processing information.

Regarding claim 11, the step of adjusting a temperature and an amount of gas supplied to the package so that a prescribed thickness of the sealed package is achieved and a feedback control of the temperature of the gas in a subsequently manufactured package. Regarding claim 12, a gas temperature modifying unit that adjust the temperature and amount of gas so that a prescribed thickness of the sealed package is achieved and a feedback control of the temperature of the gas in a subsequently manufactured package is performed based on the post-processing information.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant M. Desai whose telephone number is (571) 272-4458. The examiner can normally be reached on 6:30 AM-5:00 PM, Mon-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hemant M. Desai
Hemant M Desai
Primary Examiner
Art Unit 3721

/hd/